



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4260 OF 2025

M/s. Yash Sales and Services,
Through its Proprietor
Nilkanth S/o Annasaheb Chate,
Age 49 years, Occu. Business,
R/o Chate Complex, Shivaji Nagar,
Thermal Road, Parli Vaijnath,
District Beed

.. Petitioner

Versus

1] The State of Maharashtra
Through its Secretary,
Energy Department,
Maharashtra State,
Mantralaya, Mumbai

2] The Director,
Maharashtra State Electricity Board holding
Maharashtra State Power Generation
Company Limited, "Prakashgad",
3, D Block, Bairam Naupada,
Bandra (E), Mumbai – 400 051.

3] The Chief Engineer (O & M)
Maharashtra State Power Generation
Company Limited, Bhusawal Thermal
Power Station, Deepnagar,
Tq. Bhusawal, Dist. Jalgaon

4] M/s S.P. Enterprises,
A/P Khadka, Tq. Bhusawal,
District Jalgaon through its
Proprietor

.. Respondents

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Advocate for the petitioner : Mr. Umakant P. Giri
AGP for the respondent – State : Ms. V.N. Patil - Jadhav

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CORAM : **MANGESH S. PATIL &
Y. G. KHOBRADE, JJ.**

DATE : **28 MARCH 2025**

ORDER (MANGESH S. PATIL, J.) :

Heard the learned advocate for the petitioner.

2. The petitioner is praying for quashing the re-tender process undertaken by the respondent no. 3 by tender notice dated 21.01.2025, in which respondent no. 4 bidder has been found to be successful. He is also soliciting enquiry against respondent no. 3 who is the Chief Engineer (O & M) of Maharashtra State Power Generation Company Limited.

3. After hearing the learned advocate for the petitioner and after going through the papers, it transpires that this petition is nothing but a gross abuse of the process of law and sheer waste of precious time of this Court.

4. On petitioner's own showing, initially, a tender notice was published by respondent no. 3 for the same work and claiming that the petitioner had turned out to be 'L-1' bidder but the work order was not being issued, he had preferred writ petition no. 1766 of 2025. Since re-tender notice in question in the present matter was issued and the petitioner without demur was shown to have participated in this tender process, the writ petition was withdrawn with the leave of the Court.

5. Another writ petition being writ petition no. 3015 of 2025 was preferred in respect of the same tender process and again it was withdrawn with the leave of the Court and was disposed of on 06.03.2025, pertinently, without seeking any leave for filing another writ petition.

6. In spite of such state-of-affairs, the tenor of the petition demonstrates that the petitioner has been proceeding with the original stand with which he had preferred first writ petition no. 1766 of 2025 and had withdrawn it. Even now, the basic challenge to the re-tender process in question is that he had turned out to be 'L-1' bidder and instead of issuing work order to him, the process was abandoned and the re-tender in question was floated.

7. The afore-mentioned facts, in our considered view, substantiates our inference and conclusion that the petition is a gross abuse of the process of law.

8. The petition is dismissed in *limine* with costs of Rs.5,000/- (Rs. Five Thousand), to be deposited in this Court within two weeks, failing which those shall be recovered as arrears of land revenue.

[Y. G. KHOBRADE]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/